

performed while maintaining the control unit within a hand-held position.

15. (Previously added) The control unit of Claim 1, wherein the one or more computers comprise personal computers.

16. (Previously added) The control unit of Claim 15, wherein the personal computers need not be connected to a central server to allow the control unit to function in the manner of Claim 13 [1].

17. (New) The Control unit of Claim 1, wherein the control unit enables the execution of trades involving different quantities via a single click on a portion of the control unit by an operator.

REMARKS

Claims 1-16 are pending and stand rejected under 35 U.S.C. §§ 102, 103. Independent Claims 1 and 13 have been amended to emphasize the differences from the cited prior art. Claim 17 is new.

No new matter has been added. Support for new Claim 17 may be found, for example, at page 12, lines 12-13 of the application as originally filed.

Applicants were disappointed in the "Response to Arguments" presented in the final Office Action mailed October 22, 2003 (Paper No. 9, page 2). The statement is made there that the McCausland buttons "allow the user 'to maintain substantially visual contact' with the display" when that is simply not the case. The Mazza Declaration, presented with the previous Rule 115 Amendment, clearly states that:

The McCausland control panel buttons ... do not permit a trader to 'maintain substantially visual contact' with a visual display, and do not allow a trader to avoid 'visually focusing on the control unit during th performance of trading operations,' as recited in pending Claims 1 and [13]"....

(Mazza Dec., ¶ 3). Mr. Mazza, an experienced trader (*id.*, ¶ 2), further explains that this is so for at least two reasons: (1) McCausland employs a planar base surface keyboard

(as opposed to the hand-held control unit of the claimed invention); and (2) McCausland fails to disclose or suggest the use of trading control buttons of different shapes, sizes or textures which provide the operator with 'tactile feedback sufficient to allow the operator to distinguish between the trading control buttons without visually focusing on the buttons' (Mazza Dec., ¶¶ 4, 5). Instead, the McCausland buttons used for trading control are all square/rectangular buttons of the same or similar size and shape (id., ¶ 5) – see FIGURE 3 of McCausland, key cluster 204, for example.

These points have been emphasized in the pending independent claims to further distance the invention from McCausland.

For the foregoing reasons, Applicants respectfully request an allowance of pending Claims 1-16. If an allowance is not forthcoming prior to the next written communication, the Examiner is requested to contact the undersigned prior to the sending of any further written communication.

Respectfully submitted,

Michael P. Mazza
Reg. No. 34,092
Michael P. Mazza, LLC
686 Crescent Blvd.
Glen Ellyn, IL 60137
Phone: (630) 858-5071
Fax: (630) 858-0373

Dated: November 3, 2003